

Gary M. Hoffman (Pro Hac Vice)
Kenneth W. Brothers (Pro Hac Vice)
DICKSTEIN SHAPIRO MORIN
& OSHINSKY, LLP
2101 L Street, NW
Washington, DC 20037-1526
Phone (202) 785-9700
Fax (202) 887-0689

Edward A. Meilman (Pro Hac Vice)
DICKSTEIN SHAPIRO MORIN
& OSHINSKY, LLP
1177 Avenue of the Americas
New York, New York 10036-2714
Phone (212) 835-1400
Fax (212) 997-9880

Jeffrey B. Demain, State Bar No. 126715
Jonathan Weissglass, State Bar No. 185008
ALTSHULER, BERZON, NUSSBAUM, RUBIN & DEMAINE
177 Post Street, Suite 300
San Francisco, California 94108
Phone (415) 421-7151
Fax (415) 362-8064

Attorneys for Ricoh Company, Ltd.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICOH COMPANY LTD.,

Plaintiff,

vs.

AEROFLEX INCORPORATED, ET AL.

Defendants

)
) Case No.: C-03-4669-MJJ (EMC)
)
)
)

) **RICOH'S REPLY TO ANSWER AND**
) **COUNTERCLAIMS OF DEFENDANT**
) **MATROX TECH, INC. TO AMENDED**
) **COMPLAINT FOR PATENT**
) **INFRINGEMENT**
)

Plaintiff Ricoh Company, Ltd. ("Rico") for its Reply to the Answer and Counterclaims
of Defendant Matrox Tech, Inc. To Amended Complaint For Patent Infringement (hereinafter
"Answer and Counterclaim of Matrox Tech"), alleges as follows:

1 1. Paragraphs 1-66 of the Answer and Counterclaim of Matrox Tech do not require a
2 response; nevertheless and to the extent necessary, Plaintiff Ricoh asserts all defenses and
3 affirmation defenses available to it, including but not limited to failure to state a claim upon
4 which relief can be granted and lack of subject matter jurisdiction.

5 2. Plaintiff Ricoh admits the allegations of paragraph 67 of the Answer and
6 Counterclaim of Matrox Tech.

7 3. Plaintiff Ricoh admits the allegations of paragraph 68 of the Answer and
8 Counterclaim of Matrox Tech.

9 4. With respect to paragraph 69 of the Answer and Counterclaim of Matrox Tech,
10 Ricoh admits there is a justicable controversy insofar as the counterclaims relate to claims 13-17
11 of the '432 Patent but denies there is a justicable controversy to the extent any of the
12 counterclaims relate to any of the other claims of the '432 Patent and further states that the Court
13 lacks jurisdiction with respect to such counterclaims.

14 5. Plaintiff Ricoh admits this Court has personal jurisdiction over Ricoh and
15 otherwise denies the allegations of paragraph 70 of the Answer and Counterclaim of Matrox
16 Tech.

17 6. Plaintiff Ricoh admits venue is proper in this district and otherwise denies the
18 allegations of paragraph 71 of the Answer and Counterclaim of Matrox Tech.

19 7. Plaintiff Ricoh admits the allegations of paragraph 72 of the Answer and
20 Counterclaim of Matrox Tech insofar as they relate to claims 13-17 of the '432 Patent but denies
21 there is a justicable controversy as to any of the other claims of the '432 Patent and the Court
22 therefore lacks jurisdiction with respect to such other claims.

23 8. In response to paragraph 73 of the Answer and Counterclaim of Matrox Tech,
24 Plaintiff Ricoh incorporates its responses to paragraph 67-71 of the Answer and Counterclaim of
25 Matrox Tech as if fully set forth herein, denies the allegations in paragraphs 58-66 of the Answer
26 and Counterclaim of Matrox Tech; and notes there are no allegations requiring response in
27 paragraph 1-57 of the Answer and Counterclaim of Matrox Tech but nevertheless and to the
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1 extent necessary, admits or denies or denies information and belief sufficient to form a belief, as
2 appropriate, as to any statements therein.

3 9. Plaintiff Ricoh admits the allegations of paragraph 74 of the Answer and
4 Counterclaim of Matrox Tech, but alleges that it is the owner of the '432 Patent.

5 10. Plaintiff Ricoh admits the allegations of paragraph 75 of the Answer and
6 Counterclaim of Matrox Tech.

7 11. Plaintiff Ricoh denies the allegations of paragraph 76 of the Answer and
8 Counterclaim of Matrox Tech.

9 12. Paragraph 77 of the Answer and Counterclaim of Matrox Tech is not a proper
10 allegation but rather is a prayer for relief; nevertheless and to the extent necessary, plaintiff
11 Ricoh denies the allegations of paragraph 77 of the Answer and Counterclaim of Matrox Tech.

12 13. In response to paragraph 78 of the Answer and Counterclaim of Matrox Tech,
13 Plaintiff Ricoh incorporates its responses to paragraph 67-71 of the Answer and Counterclaim of
14 Matrox Tech as if fully set forth herein, denies the allegations in paragraphs 58-66 of the Answer
15 and Counterclaim of Matrox Tech; and notes there are no allegations requiring response in
16 paragraph 1-57 of the Answer and Counterclaim of Matrox Tech but nevertheless and to the
17 extent necessary, admits or denies or denies information and belief sufficient to form a belief, as
18 appropriate, as to any statements therein.

19 14. Plaintiff Ricoh denies the allegations of paragraph 79 of the Answer and
20 Counterclaim of Matrox Tech.

21 15. Paragraph 80 of the Answer and Counterclaim of Matrox Tech is not a proper
22 allegation but rather is a prayer for relief; nevertheless and to the extent necessary, plaintiff
23 Ricoh denies the allegations of paragraph 80 of the Answer and Counterclaim of Matrox Tech.

24 16. Paragraph 81 of the Answer and Counterclaim of Matrox Tech is not a proper
25 allegation and is not permitted under the Federal Rules of Civil Procedure and therefore does not
26 require a response; nevertheless and to the extent necessary, plaintiff Ricoh denies the
27 allegations of paragraph 81 of the Answer and Counterclaim of Matrox Tech.
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PRAYER FOR RELIEF

WHEREFORE, Ricoh prays for entry of judgment:

that Matrox Tech has infringed the '432 Patent;

that Matrox Tech, its agents, employees, representatives, successors, and assigns and those acting, or purporting to act, in privity or in concert with Matrox Tech, be preliminarily and permanently enjoined from further infringement of the '432 Patent;

that Matrox Tech account for and pay to Ricoh all damages under 35 U.S.C. § 284, including enhanced damages, caused by the infringement of the '432 Patent, and attorneys' fees pursuant to 35 U.S.C. § 285;

that Ricoh be granted pre-judgment and post-judgment interest on the damages caused to it by reason of Matrox Tech's infringement of the '432 Patent;

that Matrox Tech's Counterclaim be dismissed with prejudice;

that costs be awarded to Ricoh; and

1 that Ricoh be granted such other and further relief as the Court may deem just and proper
2 under the current circumstances.

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4 Dated: May 17, 2004

Respectfully submitted,
Ricoh Company, Ltd.

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6 By: /s/ Kenneth Brothers

7 Jeffrey B. Demain, State Bar No. 126715
8 Jonathan Weissglass, State Bar No. 185008
9 ALTSHULER, BERZON, NUSSBAUM,
10 RUBIN & DEMAINE
11 177 Post Street, Suite 300
12 San Francisco, California 94108
13 Phone: (415) 421-7151
14 Fax: (415) 362-8064

15 Gary M. Hoffman
16 Kenneth W. Brothers
17 DICKSTEIN SHAPIRO MORIN &
18 OSHINSKY LLP
19 2101 L Street NW
20 Washington, D.C. 20037-1526
21 Telephone: (202) 785-9700
22 Facsimile: (202) 887-0689

23 Edward A. Meilman
24 DICKSTEIN SHAPIRO MORIN &
25 OSHINSKY LLP
26 1177 Avenue of the Americas
27 New York, New York 10036
28 Telephone: (212) 896-5471
Facsimile: (212) 997-9880

Attorneys for Ricoh Company, Ltd.